

## Message Text

LIMITED OFFICIAL USE

PAGE 01 STATE 022746

15

ORIGIN L-03

INFO OCT-01 NEA-10 ISO-00 CIAE-00 DODE-00 NSAE-00 NSCE-00

SSO-00 USIE-00 INRE-00 PM-04 H-02 INR-07 NSC-05 PA-01

PRS-01 SP-02 SS-15 /051 R

DRAFTED BY L/NEA:BKHUFFMAN:DSC

APPROVED BY P:JJSISCO

S/S: REWOODS

NEA:SSOBER

L/T:WMCQUADE

DOD:ISA/DSAA:RPLUMMER

NEA/ARP:FMDICKMAN

DOD/ISA/FMRA:CMDR.GRUNAWALT

DOD/I AND L:COL.SHIREY

DOD/OSD/GC:SHERO

----- 095723

O 300029Z JAN 76

FM SECSTATE WASHDC

TO AMEMBASSY JIDDA IMMEDIATE

LIMITED OFFICIAL USE STATE 022746

E.O. 11652: N/A - TAGS: MASS, EAID, USSAEC, SA, US

SUBJECT: AMENDMENT OF 1965 MILITARY CONSTRUCTION

AGREEMENT

REF: STATE 108696

1. PRESENT BILATERAL SAUDI-US AGREEMENT ON MILITARY CONSTRUCTION IS NOT BROAD ENOUGH TO PERMIT CORPS OF ENGINEERS PARTICIPATION IN THE CIVIL SECTOR (REFTEL). RATHER THAN CONCLUDING A NEW DETAILED BILATERAL AGREEMENT TO COVER THIS CORPS ACTIVITY (SIMILAR TO PREVIOUS AGREEMENTS ON CORPS CONSTRUCTION ACTIVITY IN CIVIL SECTOR), WE CONSIDER IT PREFERABLE TO PROPOSE SIMPLE EXCHANGE OF NOTES WHICH

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 STATE 022746

APPLIES 1965 AGREEMENT BEGIN UNDERLINING MUTATIS MUTANDIS

END UNDERLINING BY REFERENCE WITH CERTAIN MODIFICATIONS. THIS WOULD MAKE IT POSSIBLE FOR THE CORPS TO RENDER ASSISTANCE IN THE CIVIL SECTOR, SHOULD SAUDIS SO REQUEST. AT SAME TIME, IT HOPEFULLY WILL AVOID OPENING OF FAVORABLE PROVISIONS OF 1965 AGREEMENT FOR RE-NEGOTIATION. CORPS PARTICIPATION IN CIVIL PROJECTS WOULD OF COURSE REMAIN SUBJECT TO CASE-BY-CASE REVIEW, DECISION AND SECTION 607 DETERMINATION BY AID.

2. YOU ARE ACCORDINGLY AUTHORIZED TO PROPOSE FOLLOWING EXCHANGE OF NOTES: "I HAVE THE HONOR TO REFER TO RECENT REQUEST BY THE GOVERNMENT OF THE ROYAL KINGDOM OF SAUDI

ARABIA THAT THE UNITED STATES CORPS OF ENGINEERS UNDERTAKE PROJECTS IN THE KINGDOM FOR MINISTRIES OTHER THAN THE MINISTRY OF DEFENSE AND AVIATION (HEREINAFTER REFERRED TO AS CIVIL SECTOR PROJECT) AND THE AGREEMENT BETWEEN OUR TWO GOVERNMENTS EFFECTED BY AN EXCHANGE OF NOTES SIGNED AT JIDDA ON MAY 24, 1965 AND JUNE 5, 1965, ESTABLISHING THE TERMS FOR THE CONSTRUCTION OF MILITARY FACILITIES AND TO THE EXCHANGE OF NOTES DATED APRIL 22, 1973 AND JUNE 6, 1973, EXTENDING THE AFOREMENTIONED AGREEMENT FOR THE PERIOD OF FIVE YEARS UNTIL MAY 23, 1978.

"TO FACILITATE INVOLVEMENT BY THE CORPS OF ENGINEERS IN CIVIL SECTOR PROJECTS I HAVE THE HONOR TO PROPOSE THAT THE AFOREMENTIONED 1965 AGREEMENT BE APPLIED BEGIN UNDERLINING MUTATIS MUTANDIS END UNDERLINING TO SUCH PROJECTS SUBJECT TO THE FOLLOWING MODIFICATIONS:

"A. THE MINISTRY SPONSORING A CIVIL SECTOR PROJECT TO BE UNDERTAKEN BY THE CORPS WILL CARRY OUT THOSE OBLIGATIONS OF THE GOVERNMENT OF THE ROYAL KINGDOM OF SAUDI ARABIA WHICH ARE CARRIED OUT BY THE SAUDI MINISTRY OF DEFENSE AND AVIATION UNDER THE 1965 AGREEMENT.

"B. THE SAUDI MINISTRY SPONSORING THE CIVIL SECTOR PROJECT WILL DESIGNATE A LIAISON OFFICER WHO WILL BE THE PRINCIPAL CONTACT POINT BETWEEN THAT MINISTRY AND THE CORPS.

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 STATE 022746

"C. THE TERM "CIVILIAN MINISTRIES" SHALL APPLY WHERE THE TERM "MILITARY FORCES" IS EMPLOYED IN THE 1965 AGREEMENT.

"D. THE TERM "CIVILIAN FACILITY" SHALL APPLY WHERE THE TERM "MILITARY FACILITY" IS EMPLOYED IN THE 1965 AGREEMENT.

"E. THE TERM "CIVILIAN PROGRAM" SHALL APPLY WHERE THE TERM "MILITARY PROGRAM" IS EMPLOYED IN THE 1965 AGREEMENT.

"I HAVE THE HONOR TO INFORM YOUR EXCELLENCY THAT IF THE FOREGOING IS ACCEPTABLE TO THE GOVERNMENT OF THE ROYAL KINGDOM OF SAUDI ARABIA, THE GOVERNMENT OF THE UNITED STATES OF AMERICA PROPOSES THAT THIS NOTE, TOGETHER WITH YOUR NOTE IN REPLY CONCURRING WITH THE ABOVE, CONSTITUTES AN AGREEMENT BETWEEN THE TWO GOVERNMENTS WITH RESPECT TO THIS MATTER, SUCH AGREEMENT TO ENTER INTO FORCE AS OF THE DATE OF YOUR NOTE IN REPLY AND TO REMAIN IN FORCE FOR FIVE YEARS THEREAFTER UNLESS MUTUALLY AGREED OTHERWISE OR TERMINATED PURSUANT TO ARTICLE IX OF THE 1965 AGREEMENT. END QUOTE.

3. IF FOREGOING PROPOSAL ACCEPTABLE TO SAG, YOU ARE AUTHORIZED TO CONCLUDE EXCHANGE OF NOTES AND REQUESTED TO TRANSMIT ORIGINAL TEXTS TO ASSISTANT LEGAL ADVISER FOR TREATY AFFAIRS PER 11 F.A.M. SEC 723.6. KISSINGER

LIMITED OFFICIAL USE

NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** CONSTRUCTION, MILITARY AGREEMENTS, AMENDMENTS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 30 JAN 1976  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** morefirh  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1976STATE022746  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** BKHUFFMAN:DSC  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Film Number:** D760034-1067  
**From:** STATE  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1976/newtext/t1976014/aaaaacvr.tel  
**Line Count:** 134  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ORIGIN L  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 3  
**Previous Channel Indicators:** n/a  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** 76 STATE 108696  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** morefirh  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 18 JUN 2004  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <18 JUN 2004 by ElyME>; APPROVED <25 JUN 2004 by morefirh>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
04 MAY 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** AMENDMENT OF 1965 MILITARY CONSTRUCTION AGREEMENT  
**TAGS:** MASS, EAID, SA, US, USSAEC, COE  
**To:** JIDDA  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006